

Whitney Insists Girl Accuser Is Guilty of Fraud

Counsel Charges Miss Fontaine Perjured Self in Obtaining Annulment of Her Marriage to a Texan

Ex-Husband Now Dead

New York Youth's Attorneys Deny Her Assertion She Didn't Live With Mate

Counsel for Cornelius Vanderbilt Whitney, son of Harry Payne Whitney, appearing yesterday before Supreme Court Justice Arthur S. Tompkins, at New York, charged that Evan Burrows Fontaine, Oriental dancer, resorted to fraud and perjury to obtain a decree annulling her marriage to a Texan, Sterling E. Adair, a native of Texas, who is dead.

The charges were made at a hearing on a motion calling upon counsel for the dancer to show cause why the annulment decree should not be set aside. It was Justice Tompkins himself who granted the annulment decree, and he seemed considerably impressed yesterday by the argument of Mortimer B. Patterson, who represented Whitney and appeared as trial lawyer for the firm of Nicoll, Anable, Fuller & Sullivan, 61 Broadway. It is understood that this firm is defending young Whitney in the action for heavy damages brought against him by Miss Fontaine for alleged breach of promise.

Decision Expected Soon

When Mr. Patterson had concluded his argument Justice Tompkins announced he would grant attorneys for the dancer three weeks in which to submit replies. When this is done, it is believed a decision will be immediately forthcoming. Charles Firestone and George C. Taylor, Jr., appeared for Miss Fontaine. Neither she nor young Whitney was in court.

Mr. Patterson introduced several engendering letters alleged to have been written by Miss Fontaine to Adair after their marriage on April 17, 1918, in an effort to prove false the statements of the dancer in her application for an annulment decree that she and Adair had been with each other only three hours after their marriage ceremony, that they then parted for good and had never lived together as man and wife.

A letter said to have been written by Miss Fontaine to Adair, then in Texas, on March 27, 1919, was introduced. Excerpts from it read: "God, I love you, and, darling, I love you twice as much for every mile that you're away from me. Now, honey, I'm glad you're taking your time about getting settled, for you know you want to make a future for me and perhaps I, too."

Asked Him About Annulment

"By E. A. A." Miss Fontaine is understood to have meant a son. "No child was born to her and Adair, however."

On February 8, 1920, the dancer, according to Mr. Patterson, wrote to her husband: "I would be glad to know if you would deny and oppose it if I could secure an annulment of our marriage saying that we had never lived together." She wrote in another letter, "I was charged, that the knew of a little town called Nice? where they could get a divorce without 'anybody knowing it.'"

Mr. Patterson contended that Miss Fontaine and Adair, after their marriage, had registered together at various New York hotels and had been in the pool of the Hotel Des Artistes, 1 West Sixty-seventh Street.

Irish Rail Strike Settled

DUBLIN, Nov. 11.—The strike on the Great Southern & Western, the largest railway in Ireland, which was called in the middle of October, was settled today.

Heiress, Called Sane, Immured in Asylum



Dorothy Gordon, twenty-two years old, who has been in an institution at Waverly, Mass., since March 21. William F. Jardine, her guardian, has testified in legal proceedings for his removal that he had her committed for fear she would marry William Newell, a Massachusetts Tech student, now in Savannah, Ga. Her marriage would have deprived Jardine of his control of her estate, he said.

Insane or Not, Girl Should Remain in Asylum, Says Doctor

Dorothy Gordon's Guardian Held Justified in Keeping Young Woman in Hospital; Treating Her Kindly

Special Dispatch to The Tribune

BOSTON, Nov. 11.—Dorothy Davis Gordon, whether she is insane in any accepted meaning of the word, is a "suitable person" for the McLean Insane Hospital at Waverly, and if her uncle, John Gardiner, were to wrest guardianship from William Jardine, the present guardian of the girl, he, Gardiner, "would probably leave Dorothy where she now is—at the Waverly Hospital."

Such are statements made by Dr. Frederick H. Packard, superintendent of the McLean Asylum, one of the leading neurologists and nerve specialists in the country.

The girl is now in Dr. Packard's charge. The question of her guardianship is the subject of one of the most sensational hearings ever held in New England. Intimations by counsel for Dorothy's uncle at this hearing are that Dorothy is the victim of a greedy guardian, Jardine, who, for personal gain, has attempted to prevent the girl from marrying and escaping guardianship by thrusting her into an insane asylum.

That Dorothy's present guardian treats the girl with kindness, comes to visit her frequently at the hospital and appears to have the interest of the girl at heart, were assertions of Dr. Packard.

In an interview Dr. Packard ex-

pressed himself as of the opinion that Dorothy Gordon is now in the right place; that she is neither being abused nor undergoing cruelty at the hands of her guardian. He also made it clear that the girl when she was taken to the hospital for the second time March 22, 1921, signed the voluntary application for admission required of every patient committed unless a patient is admitted on a court order.

Two Rochester Firemen Hurt

ROCHESTER, Nov. 11.—Two firemen, seriously injured, are in hospitals today as the result of a blaze that swept the plant of the L. C. Gunson Seed Company last night, causing damage estimated to be more than \$40,000.

Warmth Permanency Assured by using Warranted Pure Wool

Vermont Blankets

Oversize 72x94 full

Specimen Pair \$14.00

Delivered at Your Door

PINK, BLUE, ROSE BORDERS

ALL WHITE

VERMONT NATIVES' INDUSTRIES

BRIDGEWATER, VERMONT

\$1.00 POLDUSTER

FOR and FREE can of Jordan's WAX OIL POLISH

Combination supreme for cleaning and polishing oiled, waxed, stained or varnished floors.

F. Jordan, Sole Mfr., 134-B Bank St., N. Y.

Mate's Friends Aid Mrs. Frazee To Get Divorce

Referee Stern Recommends Decree for the Theatrical and Baseball Magnate's Wife; Property Divided

Actress Named in Hearing

L. Lawrence Weber and A. G. Delamater Testify to an Affair With a Woman

Mrs. Elsie Frazee, of 836 Park Avenue, who sued Harry H. Frazee, theatrical producer and owner of the Boston Baseball Club of the American League, for a divorce, has proved her case to the satisfaction of Abraham Stern, referee,

and in the regular course of court procedure will receive her decree. Mr. Stern filed his report in the Supreme Court yesterday, recommending that a decree be granted. The question of support for Mrs. Frazee and her eighteen-year-old son, Harry H. Frazee Jr., who lives with his mother and works for his father, was settled privately between husband and wife, Mr. Frazee making a liberal provision for his wife and son.

The action against the theatrical-baseball impresario was based on his alleged relations with Miss Elizabeth Nelson, an actress, and the principal witness in support of the complaint was L. Lawrence Weber, also a theatrical manager and a friend of Mrs. Frazee, who described what he had seen at the home of Miss Nelson at Great Neck, L. I., where the defendant spent much of his time, also being the purchaser of the house, according to allegations. Mr. Weber had called on both Mr. Frazee and Miss Nelson there, he said, and observed that the manager and the actress were on terms of intimate friendship.

Mr. Weber, the record of the case indicates, was not a diffident witness against his fellow theater manager and answered questions as though he wanted to be believed. For instance, when asked whether there were any

signs of affection between Mr. Frazee and Miss Nelson, Mr. Weber replied, "Very much so." Another witness was Arthur Grant Delamater, another theatrical friend of Mr. Frazee, and neighbor of Miss Nelson, at Great Neck, who testified that he had frequently seen Mr. Frazee there. Mr. Delamater testified that while he and Mr. Frazee were together in Toronto he heard the latter call up the Great Neck house and speak to some one there in a "tender manner."

The financial arrangement between Mr. and Mrs. Frazee, is that the husband shall continue to pay his wife the \$12,000 a year he has been allowing her under a stipulation made when the suit was brought, that he pay Mrs. Frazee, \$40,000 within two years, until which time that amount is to carry interest at six per cent a year, to give her a one-half interest in five life insurance policies aggregating \$100,000, that Mr. Frazee is to transfer to his wife, his residence at Oak Park, Chicago, subject to a mortgage of \$2,500 and to make a will establishing a trust of one third of his estate for Mrs. Frazee, who is to receive the income in quarterly installments during her life. Upon the death of Mrs. Frazee, the income is to be paid to her son until his thirty-fifth year, when the principal of the trust fund is to pass to the son. As security for the payment of the

promised \$40,000 in two years, Mr. Frazee deposited fifty-three shares of stock of the Boston American baseball club valued by him at \$750 a share.

Marine Veterans Organize

Men and women who served in the United States Marine Corps in the World War were represented yesterday by delegates from the larger cities who met at the Hotel McAlpin to organize a new national association of veterans of the corps.

The new organization, which is expected to assimilate about forty local organizations of veterans of the corps, is to be non-political and non-sectarian. Its objects are to preserve the traditions of the corps and co-operate with other veterans' organizations. Major S. W. Brewster, retired, of Harris Island, was elected commandant of the association at last night's meeting. Major Ray C. Sawyer was elected adjutant and Captain Paul F. Howard, quartermaster.

Held for Robbing Girl

Bella Lindenauer, twenty-three years old, a bookkeeper, of 638 West 116th Street, was just leaving the State Bank,

at 896 Grand Street, yesterday at noon when a sixteen-year-old boy grabbed an envelope containing \$179 from her hand. The money was the pay roll of a Grand Street merchant who employed Miss Lindenauer.

The boy was caught by Patrolman Bauer before he had gone a block. At Police Headquarters he said he was Harry Weiss, of 293 Throop Avenue, Brooklyn, that he had been employed as a messenger, but that he was out of work and had come to Manhattan to seek employment.

MADISON SQ. GARDEN

AT 8 P. M. **TWICE DAILY** EVE. 8:15

UNDER AUSPICES ARGONNE ASSN. **WORLD'S CHAMPIONSHIP COWBOY CONTESTS**

TEX. AUSTIN, Director. "STAGE DAYS" TO-DAY. Special Features. Ethel Barrymore, Chairman.

Box and Arena Seats for all performances on sale at Madison Square Garden.

BOX SEAT PROCEEDS GO TO ARGONNE ASSOCIATION.

Last Contest Tues. Eve. Nov. 14.

COWPERTHWAIT & SONS

UPTOWN
3rd Avenue & 121st Street
2212 to 2224 Third Ave.

"Everlasting Furniture"
Ask Your Grandfather

DOWNTOWN
Park Row & Chatham Sq.
193 to 205 Park Row

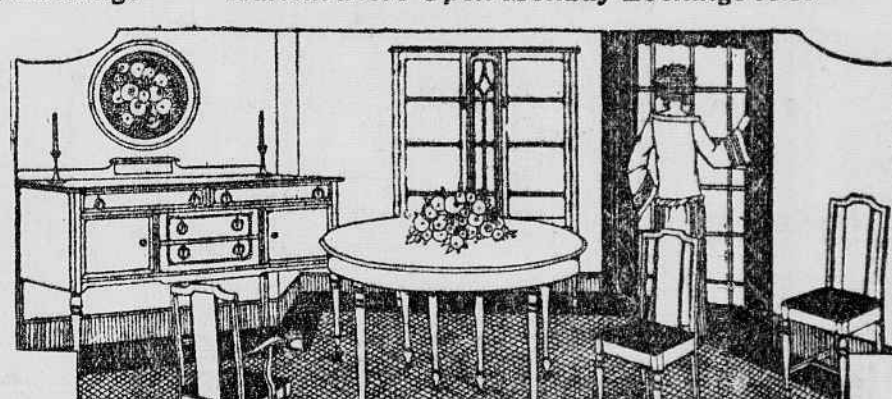
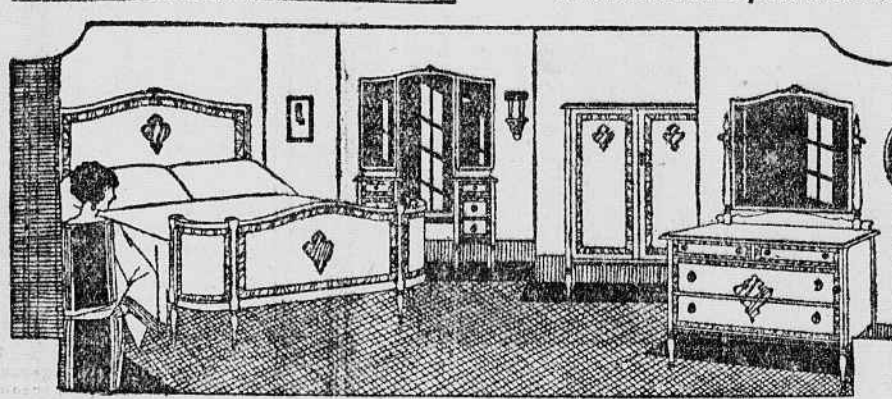
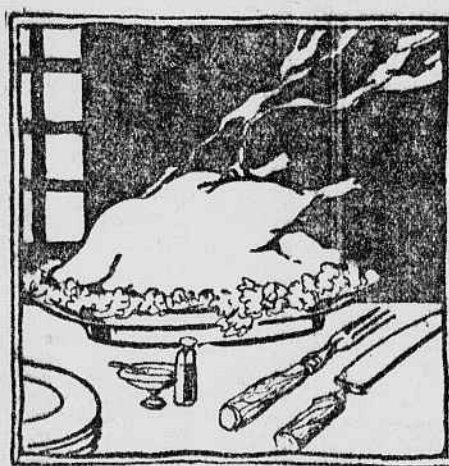
Prepare for Thanksgiving!

Two weeks and a half to prepare your home for Thanksgiving—the family day of America, when babies, grandmas and all the folks gather in happy homes to dine together.

Two weeks and a half to the 116th Thanksgiving Day of this firm. Many thousands of homes have been made prettier permanently because of the attractive good furniture bought of Cowperthwait & Sons especially for this great yearly occasion.

Select your goods in time for Thanksgiving, paying for them in small amounts each week or month while enjoying them.

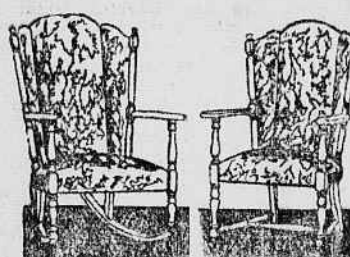
Both Stores Open Saturday Evenings Harlem Store Open Monday Evenings Also



Beautiful Two-tone Walnut 4-Piece Set, \$295

Payable \$3.50 Weekly

Nowadays the most popular furniture is in this handsome wood. This particular set also has unusual beauty of line and fine construction. Full size bow-end Bed; large Dresser, dustproof throughout; full Vanity, with six drawers; latest Chiffonier, with full length wardrobe compartment.



Fireside Wing Chairs

Soft, springy chairs, with restful supporting wings. Arm Chair or Rocker in lacquered, velvet or silk damask. Mahogany finish. Reduced from \$55.00 to **\$34.00**



Martha Washington Sewing Tables

"A place for everything with everything in its place." Reduced from \$19.75 to **\$19.75**



Drop-Leaf Tea Wagon

Antique Brown Combination Mahogany. Removable glass tray. Full size shelf and rubber tired wheels. Reduced from \$35.00 to **\$27**

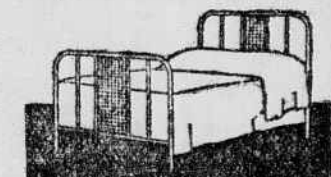
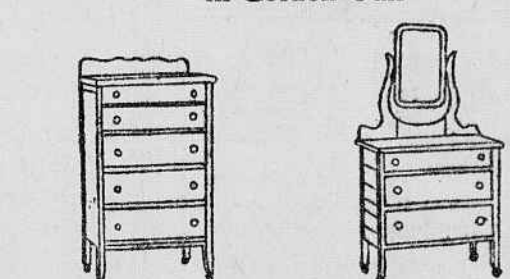
Waxed Oak 9-Piece Suite, \$249

Payable \$3 Weekly

Reduced from \$325

Modern finish, on substantial everlasting oak. Gallery-back Buffet, 54 in. long; large two-door China Closet; 48-in. Round Extension Table, 5 Chairs and Arm Chair with genuine leather seats.

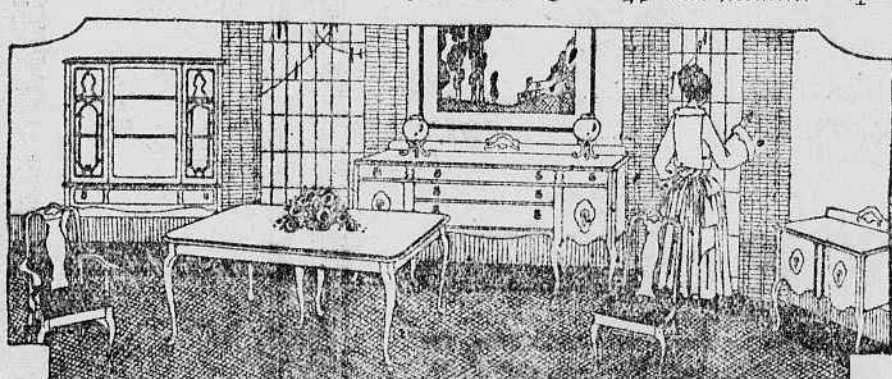
Inexpensive Bedroom Furniture in Golden Oak



\$19.75 Ivory Bed

Spring and Mattress Complete

Handy, 3 ft. wide bed, three pieces with spring made in. Bed and Spring, \$12.75



\$345—Rich English Brown Mahogany; 10 Pieces

Reduced from \$425

A graceful, large suite with fine veneer work to show handsome straight grain. Buffet, 66 in. long, with large linen drawer; China Closet with latticed glass sides; roomy Server; oblong Extension Table, 45x54 in.; five Chairs and Armchair in genuine leather.

Sofa, Wing Chair and Arm Chair, in Tapestry—\$198

Velour If You Prefer

The kind of a suite to lounge in. Good, substantial upholstery, in long-lasting tapestry or rich velour. Mahogany finish frames. Marshall spring cushions.

Rugs, Carpets, Linoleum, Etc.



Blue Bird Dinner Sets for Thanksgiving

100 pieces..... **\$12.50**

50 pieces..... **\$6.75**

Axminster Rugs, 27x54, reduced from \$5.50.....to \$4.25

Wilton Velvet Rugs, 8.3x10.6, reduced from \$110.....to 87.50

Tapestry Carpet, Reduced from \$2.45 yd.....to 1.95

Axminster Hall Runner, 3x12, reduced from \$26.....to 19.50

Rug Border, 36 in., reduced from \$1.10 yd.....to .85

Inlaid Linoleum, Reduced from \$2.25.....to 1.85

Velvet Rugs, 6x9, reduced from \$40.....to \$32.50

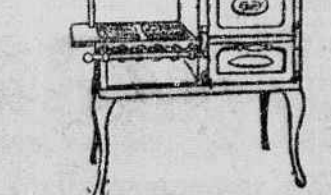
Axminster Rugs, 4.6x6.6, reduced from \$22.50.....to 17.75

Wilton Velvet, 9x12, reduced from \$120.....to 97.50

Extra Velvet Carpet, Reduced from \$3.75 yd.....to 2.95

Steel Door Mat, 1.6x2.6, reduced from \$2.50.....to 2.00

Printed Linoleum, Reduced from \$1.65.....to 1.20



The Range to Cook the Dinner On

Large, handsome range, convenient height. Four burners, besides oven. Modern warming shelf and mantel. Polished iron body, nickel-plated trimmings.

Special \$35.50

Cowperthwait's Liberal Credit Terms

Monthly or Weekly Payments

25c Weekly on \$15 Worth

75c Weekly on \$50 Worth

\$1.50 Weekly on \$100 Worth

\$2.50 Weekly on \$200 Worth

\$12.50 Weekly on \$1,000 Worth

Other Amounts in Proportion.

Pay by the Month if You Wish

No Interest Added.

No Extra Charges of Any Kind.

10% Off for Cash

COWPERTHWAIT & SONS

Uptown—
3rd Ave. and 121st Street
2212 to 2224 Third Ave.

Two Stores
Park Row and Chatham Sq.
193 to 205 Park Row

On Sale in Brooklyn and New York Stores

Lane Bryant

NEW YORK
26 West 39th St.—21 West 38th St.
Entrance on 39th St. more convenient

BROOKLYN
Hanover Place—Just Off Fulton St.
Opposite the Montauk Theatre

First Reductions! Dinner and Evening Gowns

To Fit Women Who Require Individual Sizes
Sizes 14+ to 28+—Sizes 39 to 52



52 Dinner and Evening Gowns

An entrancing collection of Romaine Crepe, Lace, Beaded Robes, alluring shades of Jade, Peach, Orchid, Black. A number of French importations included. Formerly to \$125.00

59.75

48 Dinner and Evening Gowns

A winsome array of high cost gowns fashioned in delicate shades of Chiffon, Romaine Crepe and Lace—rich in embroidery and the new drape effects. Formerly to \$179.50

89.50

22 Evening Wraps

Swagger Models of Metallic Cloth and Chiffon Velvet. Some are plain, while others are handsomely adorned with Pointed Fox, Squirrel and Wolf Collars.

REDUCED TO
59.50 89.50 149.50

WOMEN of BROOKLYN

will find this apparel on Sale at our new Brooklyn Store, conveniently located at Hanover Pl., Just Off Fulton St. Opposite the Montauk Theatre

All Sizes in the Sale, but not every size in every style.